

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13855, of Joanna Sturm, pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for a special exception under Paragraph 4101.44 for a proposed addition to two buildings used as a flat and a dwelling and the conversion of those buildings to SP office use and variances from the floor area ratio requirements (Sub-section 4301.1) and the parking requirements (Sub-section 7202.1) in an SP-1 District at the premises 2007-2009 Massachusetts Avenue, N.W., (Square 94, Lots 15 and 27).

HEARING DATE: November 10, 1983

DECISION DATE: December 1, 1983

STATUS: The Board GRANTED the application in its entirety by a vote of 4-0 (Walter B. Lewis, Carrie Thornhill, William F. McIntosh and Charles R. Norris to grant; Douglas J. Patton not present, not voting).

FINAL DATE OF ORDER: April 11, 1983

ORDER

The Dupont Circle Citizens Association (DCCA), a party in opposition to the subject application, filed a timely Motion for Reconsideration and Rehearing on April 21, 1983. The DCCA contended that the Board's decision was not supported by its findings. Specifically, the motion alleges that the Board did not cite, discuss or make findings in respect to Sub-paragraph 4101.423 and it made no findings underpinning a conclusion as to the intent, purpose and the integrity of the zone plan as embodied in the Zoning Regulations and Map.

Counsel for the applicant filed a statement in opposition to the Motion for Reconsideration and Rehearing on April 29, 1983. The statement contended that the motion failed to set forth any facts which evidence that the final decision of the Board is erroneous and failed to set forth any new evidence which could not reasonably have been presented at the original hearing.

Upon consideration of the Order, the Motion for Reconsideration and Rehearing, and the applicant's response thereto, the Board concludes that the opposition failed to

establish that the Board had committed any substantial error in deciding the application. The Board concludes that there is no basis to support the motion for reconsideration. The conclusions of the Board are properly based on findings of fact which evidence substantial compliance with the requirements of Paragraph 4101.44. The provisions of Sub-paragraph 4101.423 are not an issue before the Board in the subject application. The decision of the Board is in keeping with the SP District and the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

The Board further concludes that the opposition raises no new issues which were not previously considered by the Board. Accordingly, it is ORDERED that the Motion for Reconsideration and Rehearing is DENIED.

DECISION DATE: May 4, 1983

VOTE: 4-0 (Walter B. Lewis, Carrie Thornhill, William F. McIntosh and Charles R. Norris to Deny; Douglas J. Patton not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: JUL 13 1983

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

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